

wherein when g is 1, B-D is selected from acetylene, alkene, substituted alkene, amide, azo, esters, thioesters, -CH=N-, -CR=N-, -N=CH- and -N=CR-, -SiH=SiH-, -SiR=SiH-, -SiR=SiH-, and -SiR=SiR-, -SiH=CH-, -SiR=CH-, -SiH=CR-, -SiR=CR-, -CH=SiH-, -CR=SiH-, -CH=SiR-, and -CR=SiR-, wherein R is a substitution group; and wherein when g is zero, e is 1 and D is carbonyl or a moiety comprising oxygen, sulfur, nitrogen or phosphorus; and,

- b) at least one nucleic acid covalently attached to said electrode with a spacer.

### **REMARKS**

Claims 47, 48, 57, 62-67, and 72-73 remain pending in the application following entry of the amendments. Claims 47, 48, 57, and 62-67 are allowed. Claims 58-61 and 68-71 have been cancelled in the interests of expediting prosecution of this case. Applicants reserve the right to pursue the cancelled claims in a continuing application. Claims 72 and 73 have been newly added. Support is found throughout the specification, particularly on pages 16-22, 45-47, and 85. An Appendix of Pending Claims is attached for the Examiner's convenience.

No new matter is entered by the amendments. Favorable consideration of following comments with respect to the outstanding rejections is respectfully requested for the reasons that follow.

#### **Rejections Under 35 U.S.C. § 112, fourth paragraph**

Claims 68-71 stand rejected under 35 U.S.C. § 112, fourth paragraph because the dependent claims allegedly fail to further limit the subject matter of the claims from which they depend.

Applicants have cancelled claims 68-71 in the interests of furthering the prosecution of this case, thus rendering the rejection moot. Accordingly, Applicants respectfully request withdrawal of the rejection.

#### **Rejections Under 35 U.S.C. § 102**

Claims 58 and 59 stand rejected under 35 U.S.C. § 102(e) as being anticipated by either Garnier (U.S. Patent No. 6,096,825) or Teoule et al. (U.S. Patent No. 5,837,859). Alternatively, claims 58 and 59 are rejected under 35 U.S.C. § 102(b) over Teoule et al., WO 94/22889.

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Without admitting the propriety of the rejection, Applicants have cancelled claims 58 and 59, thus rendering the rejections moot. Accordingly, Applicants respectfully request withdrawal of the rejections under 35 U.S.C. § 102(e).

### CONCLUSION

Applicants submit that the pending claims are in condition for allowance and an early notification to that effect is respectfully solicited. If after review the Examiner determines that there are further unresolved issues, the Examiner is invited to call the undersigned attorney at (415) 781-1989.

Respectfully submitted,  
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